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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**17408**

In Re Application of **Koichi Ohto, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/767,786	January 29, 2004	Ori Nadav	23389	2811	7289

Title: **SEMICONDUCTOR DEVICE, AND PRODUCTION METHOD FOR MANUFACTURING SUCH SEMICONDUCTOR DEVICE**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Response to Requirement for Restriction**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.
  - ☐ Charge the amount of \_\_\_\_\_
  - ☒ Credit any overpayment.
  - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

Dated: **May 27, 2005**

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <b>May 27, 2005</b> (Date)
Signature of Person Mailing Correspondence <b>Richard J. Danyko</b>
Typed or Printed Name of Person Mailing Correspondence

RJD:ej  
cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Koichi Ohto, et al.

**Examiner:** Ori Nadav

**Serial No:** 10/767,786

**Art Unit:** 2811

**Filed:** January 29, 2004

**Docket:** 17408

**For:** SEMICONDUCTOR DEVICE,  
AND PRODUCTION METHOD  
FOR MANUFACTURING SUCH  
SEMICONDUCTOR DEVICE

**Dated:** May 27, 2005

**Confirmation No. 7289**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Sir:

Pursuant to the Restriction Requirement imposed in the Official Action dated April 27, 2005, applicants provisionally elect without traverse the Claims of Group I, i.e., Claims 1-38 for continued prosecution herein.

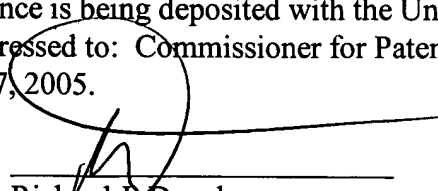
Claims 1-82 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Official Action avers that the following inventions are present in the claims:

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O., Box 1450, Alexandria, VA 22313-1450, on May 27, 2005.

Dated: May 27, 2005

  
Richard J. Danyko

Group I, Claims 1-38, drawn to a semiconductor device, classified in class 257, subclass 635.

Group II, Claims 39-82, drawn to a process of making a semiconductor device, classified in class 438, subclass 22+.


It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants provisionally elect without traverse to prosecute the subject matter of Group I, Claims 1-38. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected claims in this application.

Further, as requested by the examiner, the applicants elect the embodiment of Figure 2 for consideration at the present time.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

  
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